



PATENT
ATTORNEY DOCKET NO.: AERO1120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roderick L. Hall et al. Art Unit: 1652
Application No.: 09/218,913 Examiner: Nashaat T. Nashed
Filed: December 22, 1998
Title: A METHOD FOR ACCELERATING THE RATE OF MUCOCILIARY
CLEARANCE

Mail Stop: Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for the above-identified application, represents that Petitioners are the Assignee of all interest in Application No. 09/218,913, filed December 22, 1998, entitled A METHOD FOR ACCELERATING THE RATE OF MUCOCILIARY CLEARANCE, as evidenced by the Assignment recorded in the United States Patent and Trademark Office on May 5, 1999, at Reel 9928, Frame 0131.

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

11/01/2004 JADD01 00000010 09218913

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55.00 OP

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, October 26, 2004, in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	
Cara Grifone (Name of Person Mailing Paper)	
Cara Grifone (Signature)	10/26/04 (Date)

In re Application of:
Roderick L. Hall et. al.
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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioners, BAYER AKTIENGESELLSCHAFT, disclaims the terminal part of any patent granted on the above-identified Application No. 09/218,913 which would extend beyond the expiration date of co-pending Application No. 09/441,966. Petitioner hereby agrees that any patent so granted on the above-identified application, No. 09/218,913, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 09/441,966, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

A check in the amount of \$270.00 is enclosed to cover the Two Month Extension of Time fee and Terminal Disclaimer fee. If any additional fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account
No. 50 -1355.

Respectfully submitted,



Date: October 26, 2004

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